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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT GODINEZ,

Defendant.

CASE NO. 2:23-CR-0161-DAD

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: December 12, 2023
TIME: 9:30 a.m.
COURT: Hon. Dale A. Drozd

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on December 12, 2023. ECF No. 16.
2. By this stipulation, defendant now moves to continue the status conference until February 13, 2024, and to exclude time between December 12, 2023, and February 13, 2024, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes over 70 gigabytes of evidence in electronic form, including criminal history documents, phone intercepts and other evidence from multiple Title III wiretaps, and search warrants. Much

1 of this discovery is in the Spanish language.

2 b) Counsel for defendant desires additional time to consult with his client, review the
3 current charges, to conduct research and investigation related to the charges, to review and copy
4 discovery for this matter, to discuss potential resolutions with his client, to prepare pretrial
5 motions, and to otherwise prepare for trial. Additionally, counsel for the defendant has
6 expressed that he needs additional time to prepare because he is recovering from a medical
7 procedure.

8 c) Counsel for defendant believes that failure to grant the above-requested
9 continuance would deny him the reasonable time necessary for effective preparation, taking into
10 account the exercise of due diligence.

11 d) The government does not object to the continuance.

12 e) Based on the above-stated findings, the ends of justice served by continuing the
13 case as requested outweigh the interest of the public and the defendant in a trial within the
14 original date prescribed by the Speedy Trial Act.

15 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
16 et seq., within which trial must commence, the time period of December 12, 2023 to February
17 13, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local
18 Code T4] because it results from a continuance granted by the Court at defendant's request on
19 the basis of the Court's finding that the ends of justice served by taking such action outweigh the
20 best interest of the public and the defendant in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: December 5, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ ADRIAN T. KINSELLA
ADRIAN T. KINSELLA
Assistant United States Attorney

Dated: December 5, 2023

/s/ JESSE J. GARCIA
JESSE J. GARCIA
Counsel for Defendant
Robert Godinez

ORDER

Pursuant to the stipulation of the parties and good cause appearing, the status conference previously scheduled for December 12, 2023, is hereby continued to February 13, 2024, at 9:30 a.m. and time is excluded between December 12, 2023, and February 13, 2024, under Local Code T4.

IT IS SO ORDERED.

Dated: **December 6, 2023**

Dale A. Drozd
DALE A. DROZD
UNITED STATES DISTRICT JUDGE